



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:

Farmer et al

SERIAL NUMBER: 09/424,527

EXAMINER: Francisco Chandler Prats

FILING DATE: May 29, 2003

ART UNIT: 1651

FOR: PROBIOTIC LACTIC ACID BACTERIUM TO TREAT BACTERIAL  
INFECTIONS ASSOCIATED WITH SIDS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

Sir:

Transmitted herewith for filing in the present application are the following documents:

- ☒ Response to Restriction Requirement (1 pg.);
- ☒ Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room is respectfully requested to contact the undersigned collect at (617) 542-6000, Boston, Massachusetts. The Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 19374-503 (GND-3). A duplicate copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Ingrid A. Beattie, Reg. No. 42,306  
Attorney for Applicant  
Tel.: (617) 542 6000  
Fax: (617) 542-2241  
Customer No. 30623

Date: January 12, 2006

Express Mail Label No.: EV695512009US  
Date of Deposit: January 12, 2006

Attorney Docket No. 19374-503 (GND-3)

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**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Restriction Requirement mailed on December 13, 2005, Applicants elect the invention of Group I, claims 1-25, drawn to a process of preventing or treating gastrointestinal infection in a human. This election is made without traverse.

Applicants further elect the following species: *Bacillus coagulans* as the microorganism, and FOS as the oligosaccharide.

**CONCLUSION**

If there are any questions, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

No fee is believed due with this filing. However, the Commissioner is hereby authorized to charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311 (Reference No. 19374-503 (GND-3)).

Respectfully submitted,

*IA Beattie*

Ingrid A. Beattie, Reg. No. 42,306

Attorney for Applicants

c/o MINTZ LEVIN

Tel.: (617) 542 6000

Fax: (617) 542-2241

Address all correspondence to  
Customer Number 30623

Date: January 12, 2006